

**FILED**

DEC 14 2023

Clerk, U.S. District Court  
Texas Eastern

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA

v.

BRODY MCBRIDE

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§

No. 4:23-CR- 269  
Judge Mazzant

**INDICTMENT**

The United States Grand Jury charges:

**Count One**

Violation: 21 U.S.C. § 846  
(Conspiracy to Distribute and  
Possess with Intent to Distribute  
Fentanyl)

From in or about January 2023, the exact date of which being unknown to the Grand Jury, and continuing until and through the date of the filing of this Indictment, in the Eastern District of Texas and elsewhere, BRODY MCBRIDE, Defendant, did knowingly and intentionally combine, conspire, and agree with other persons unknown to the United States Grand Jury, to manufacture, distribute and possess with the intent to manufacture and distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl), a violation of 21 U.S.C. § 841(a)(1).

In violation of 21 U.S.C. § 846.

**Count Two**

Violation: 21 U.S.C. § 841(a)(1)  
(Possess with Intent to Distribute  
Fentanyl Resulting in Death)

On or about August 28, 2023, in the Eastern District of Texas and elsewhere, BRODY MCBRIDE, Defendant, did knowingly and intentionally distribute and possess with the intent to distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl) and serious bodily injury and death to H.H., a person known to the grand jury, resulted from the use of the Fentanyl, a violation of 21 U.S.C. § 841(a)(1).

**NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE**

**Criminal Forfeiture Pursuant to 21 U.S.C. § 853**

As a result of committing the offenses charged in this Indictment, the defendant shall forfeit to the United States any cash proceeds that is property constituting, or derived from, proceeds obtained directly or indirectly, as the result of the offense alleged in this Indictment and any property they may have been used or intended to be used to commit or facilitate the offense.

A TRUE BILL

*(Signature)*

GRAND JURY FOREPERSON

DAMIEN M. DIGGS  
UNITED STATES ATTORNEY

  
MATTHEW T. JOHNSON  
Assistant United States Attorney

Date: 12/13/23

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA

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§

v.

NO. 4:23-CR 169  
Judge Mazzant

BRODY MCBRIDE

**NOTICE OF PENALTY**

**Counts One & Two**

Violation: 21 U.S.C. §§ 846, 841(a)

Penalty: Imprisonment for a term of not more than 20 years, a fine not to exceed \$1,000,000.00, or both; and supervised release of at least three years. If any person commits a violation after a prior conviction for a felony drug offense has become final, then a term of not more than 30 years, a fine not to exceed \$2,000,000.00, or both; and supervised release of at least six (6) years.

If death or serious bodily injury resulted from the use of Fentanyl, then a term of imprisonment of not less than twenty (20) years or more than life, a fine not to exceed \$1,000,000.00 or both. A term of supervised release of at least five (5) years. If any person commits a violation after a prior conviction for a felony drug offense has become final and if death or serious bodily injury resulted from the use of fentanyl, then a term of imprisonment of life, a fine not to exceed \$2,000,000.00 or both.

Special Assessment: \$100.00